

A restriction requirement is proper when (1) the inventions are independent or distinct as claimed; and (2) there is a serious burden on the Examiner. Applicants respectfully submit that Groups I and II are closely linked and that the examination of these groups together would not pose a serious burden on the Examiner.

To show that the inventions are distinct, the Examiner must show either that (1) there is a separate classification of the claims; (2) a separate status in the art when they are classifiable together; or (3) a different field of search. Applicants respectfully submit that Group I, claims 1-4 and 9-27, and Group II, claims 5-8 and 10-27, are closely related. In particular, Group I is drawn to a method of detecting a protein-nucleic acid interaction using a hybrid protein comprising a  $\sigma 54$  activator domain and a nucleic acid binding domain. Group II is drawn to a method of detecting a protein-protein interaction using a first and second hybrid protein, wherein one hybrid protein comprises a constitutively active  $\sigma 54$  activator domain and the other protein comprises a nucleic acid binding domain. A search of the prior art of the methods of Group I would also necessarily encompass a search of the prior art of the methods of Group II, because both Groups of methods use one or more hybrid proteins comprising one or both of a constitutively active  $\sigma 54$  activator domain and a nucleic acid binding domain. Thus, the prior art for Group I will be the same as the prior art for Group II and there will be no undue burden on the Examiner to examine these two groups together.

For these reasons, Applicants respectfully request that the restriction requirement be revised so that claims 1-27 be examined together in the same group.

## **II. Provisional Response to Restriction Requirement**

Applicants provisionally elect Group I, claims 1-4 and 9-27, with traverse.

**III. Conclusion**

Applicants respectfully request that the restriction requirement be withdrawn in regard to Groups I and II. An early and favorable consideration and allowance of claims 1-27 is respectfully requested.

Respectfully submitted,



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